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**STAMP AND RETURN**

**ARNOLD & PORTER**

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September 4, 2003

**RECEIVED**

**SEP - 4 2003**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

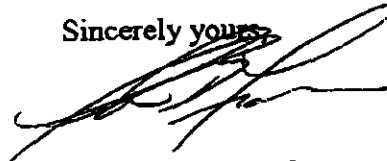
Re: Stations KTCA-DT and KTCI-DT  
Minneapolis-St. Paul, MN

Dear Ms. Dortch:

On behalf of Twin Cities Public Television, Inc., licensee of noncommercial educational television Stations KCTA-TV/DT & KTCI-TV/DT, Minneapolis-St. Paul, MN ("TPT"), I am submitting herewith a request for a waiver of the Commission's digital television simulcast requirements, Section 73.624(f) of the FCC's rules, so that TPT may simulcast the programming broadcast by both Stations KCTA and KTCI on Station KTCI-DT. By simulcasting the programming of both analog stations on a single digital channel, TPT will be able to offer a distinct high definition program service on Station KTCA-DT. As indicated in the waiver request, TPT believes that grant of this waiver will further the Commission's objective of stimulating interest in digital broadcasting, thereby facilitating the transition to a digital broadcast environment.

If there are any questions concerning this request, please let me know.

Sincerely yours,



Theodore D. Frank

cc(w/enc.): Rick Chesson, Esq.  
Roy Stewart, Esq.  
Kenneth Ferree, Esq.  
Barbara Kreisman, Esq.  
Randy Lebedoff, Esq.

August 29, 2003

**BY HAND DELIVERY**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

Re: Noncommercial Educational Digital Television  
Station KTCA-DT, St. Paul, Minnesota, Facility Identification No. 68594

Dear Ms. Dortch:

Pursuant to Section 1.3 of the Commission's rules and for good cause shown, Twin Cities Public Television, Inc. ("TPT"), licensee of noncommercial educational digital television Stations KTCA-DT and KTCI-DT, St. Paul, Minnesota, hereby requests a waiver of the digital simulcast requirement set forth in Section 73.624(f) pending issuance of a Report and Order in the Commission's second periodic DTV review. *See In re Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, Notice of Proposed Rulemaking, 18 FCC Rcd. 1279 (2003).

Section 73.624(f) requires DTV licensees to simulcast 50% of the analog video programming on their DTV channels by April 1, 2003. The simulcast requirement increases to 75% on April 1, 2004 and 100% on April 1, 2005. *See* 47 C.F.R. § 73.624(f). On April 29, 2003, the Commission granted noncommercial educational stations a six-month waiver of the simulcast requirement until November 1, 2003. *See In re Second Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television*, Order, 18 FCC Rcd. 8166 (2003). The Commission also stated at that time that it would consider individual waiver requests. *Id.* ¶ 6.

TPT holds the license for two noncommercial television stations in the Twin Cities area, KTCA and KTCI. As indicated in the enclosed coverage maps, both stations cover approximately the same geographic area. KTCI is broadcasting in both an analog and digital mode and KTCA has a request pending for an STA to operate digitally with reduced power. TPT anticipates that both stations will be operating in both modes by November 1, 2003 when the current simulcast rules goes into effect for public television stations.



TPT seeks this waiver of the simulcast requirements for Station KTCA-DT in order to allow TPT to simulcast the programming broadcast by KTCA-TV on KTCI-DT instead of Station KTCA-DT. Station KTCI-DT would carry the simulcast programming of both KTCA-TV and KTCI-TV as part of a multicast service. TPT plans to offer continuous high definition television programming on KTCA-DT, thereby increasing cable carriage and user acceptance of DTV broadcasting.

This proposal is similar to a waiver request recently granted to Milwaukee Area Technical College, licensee of WMVT-DT and WMVS-DT, two noncommercial educational stations serving Milwaukee, Wisconsin. *See id.* ¶¶ 8-10. In that instance, the Commission found that, although not complying literally with the simulcast requirements, the licensee would be serving the purposes underlying the rules, experimenting with innovative uses of its other DTV station and offering additional DTV programming to the community. The Commission granted the waiver pending release of a Report and Order in the second DTV review proceeding because the Commission intends to consider in that proceeding amendment to the simulcast requirements to facilitate such innovative uses of DTV stations. *See id.* ¶ 10.

TPT likewise has demonstrated good cause for granting KTCA-DT a waiver of the simulcast requirement. Under TPT's proposal, we would provide simulcast digital service of both of our analog channels to the Minneapolis-St. Paul communities, thereby satisfying the underlying purpose of the simulcast requirement. In addition, we would have the opportunity to experiment with innovative uses of digital programming by offering exclusively high definition television programming on KTCA-DT.

Accordingly, pursuant to Section 1.3 of the Commission's rules, TPT requests that the Commission grant a waiver of Section 73.624(f), pending the issuance of a Report and Order in the second DTV periodic review.

Pursuant to Section 1.2002 of the FCC's rules, I certify that no party to this application is subject to a denial of benefits under Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.

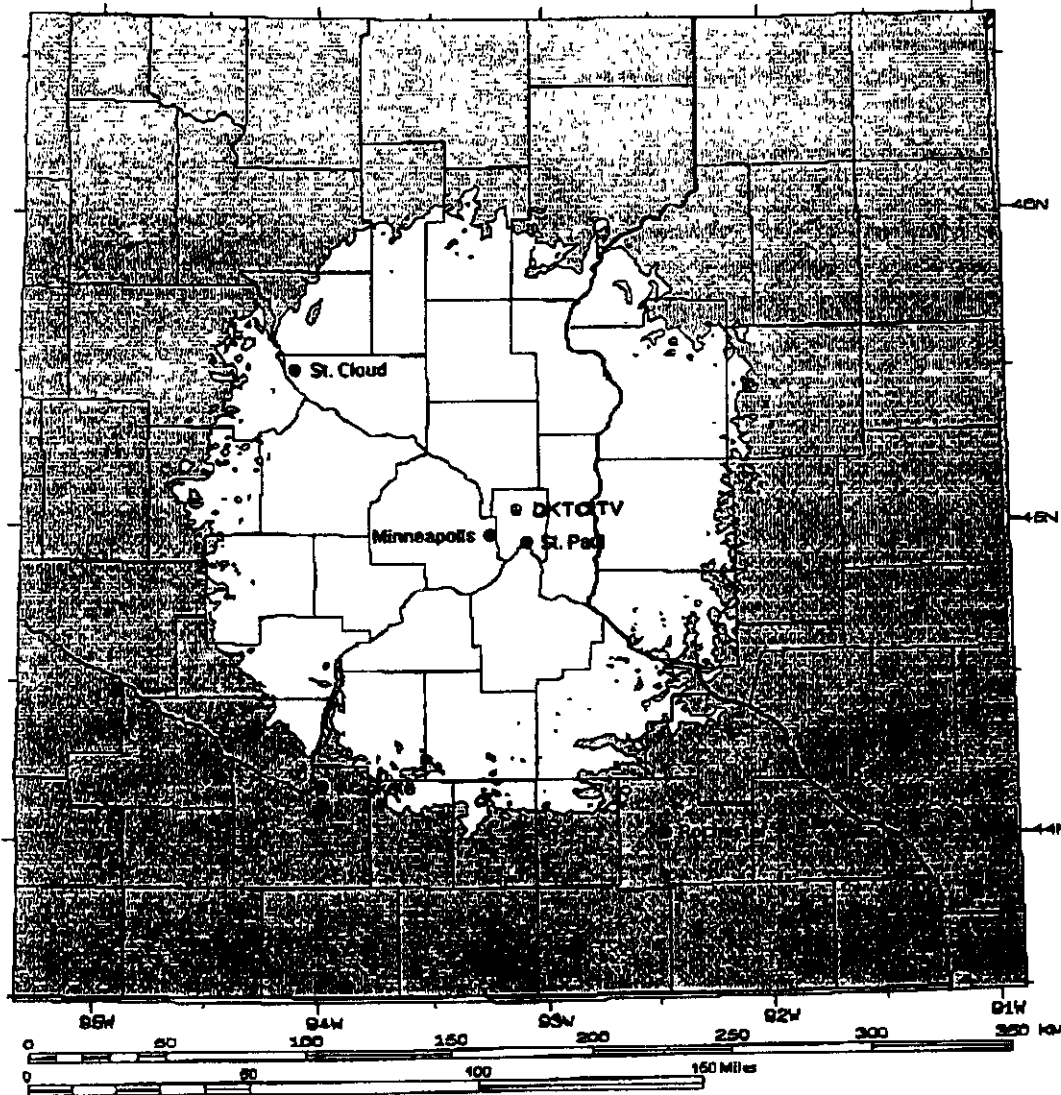
Please refer any questions or correspondence regarding this request to our counsel, Ted Frank of Arnold & Porter, 555 Twelfth Street, N.W., Washington, D.C. 20004 (202-942-5790).

Sincerely yours,

A handwritten signature in dark ink, appearing to read "J. Pagliarini", is written over a horizontal line.

James R. Pagliarini  
President and Chief Executive Officer

# CONTOUR MAP - KTCI-DT

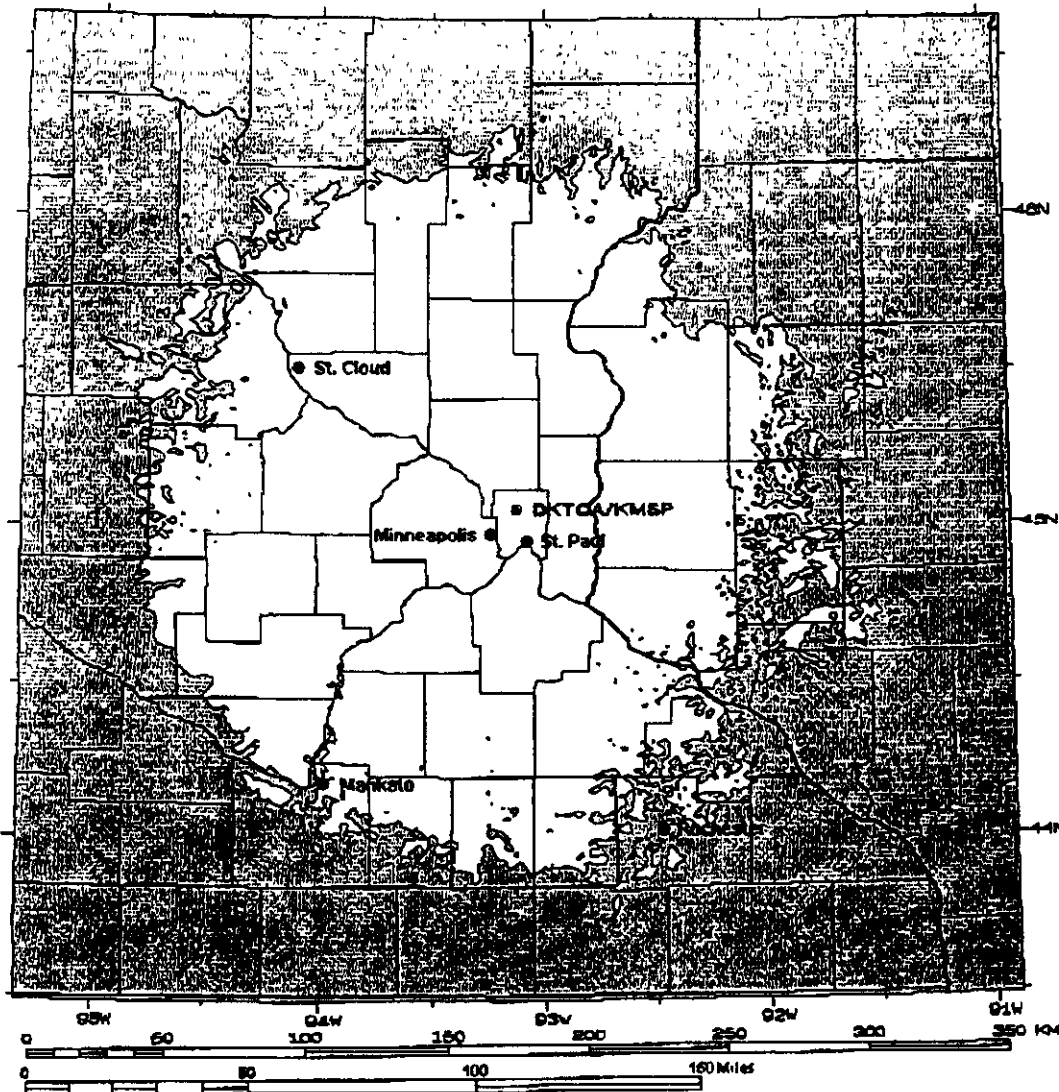


TA Services  
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Field Intensity(dBuv/m)

□	Greater than 41.0
	Area: 31330 sq km
	Population: 3126000
	Households: 981000
■	Less than 41.0
	Area: 90860 sq km
	Population: 1356000
	Households: 429000

# CONTOUR MAP - KTCA-DT



TA Services  
 LR 50/90  
 LR 50/90  
 23-Dec-98 13:27:06  
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## Field Intensity (dBuV/m)

Greater than 40.80  
 Area: 44430 sq km  
 Population: 3382000  
 Households: 1051000

Less than 40.80  
 Area: 77460 sq km  
 Population: 1119000  
 Households: 359000